



Applicant(s) Ronald D. HALLIBURTON et al.
Appl. No. 10/624,887

REMARKS

It is requested that the time for responding to the outstanding Office Action be extended for two months, up to and including July 8, 2005. Please charge the \$225.00 extension fee and any additional fee required by this paper, or credit any overpayment to Deposit Account No. 22-0261.

In the Office Action the Examiner rejected claims 1-8, and 12 pursuant to Sections 102 and 103 of the Patent Statute and objected to Claims 9-11, 13, 14 and 16-18. The Examiner also rejected all the claims under 35 U.S.C. § 112. The Examiner objected to claims 9-11, 13, 14 and 16-18.

The Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1-18 (all the claims) under Section 112 on the grounds *inter alia* that the term “conveyor moving arrangement” was unduly vague. As understood by the Applicant, it is the Examiner’s position that the term “arrangement” as used in the claim is unclear because the structure or structures that support this limitation are not clearly defined. In response to the rejection the Applicant has amended the claims and now uses the term “conveyor operator engine” to clarify the limitation. The “conveyor operator engine” is depicted in fig. 12 and drives the conveyors found in each conveyor assembly. As amended the claims also recite a “conveyor assembly orientation engine.” The support for this limitation is found in the specification by motor 74 and which drives the conveyor assembly around a central axis.

The Examiner also objected to the term “the conveyor” in claim 1. The applicant has

recited a conveyor assembly that includes at least one conveyor in order to clarify the limitation.

In response to the Examiner's comments with respect to claim 2, the applicant has amended the claims to require that each conveyor has a longitudinal axis that has an angular orientation with respect to an axis running perpendicular to the conveyor assembly.

In claim 12, the applicant has amended the claim to provide adequate antecedent basis.

The Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claim 1 under Section 102(b) of the Patent Statute both in view of the patent to Juillet and the patent to Joschko. It is submitted that the amended claim 1 distinguishes over the Juillet and Joschko because, *inter alia*, it requires a plurality of conveyors oriented at angular positions on a conveyor assembly. In contrast, each of the conveyors in the cited prior art are oriented in a parallel configuration.

The Rejections under 35 U.S.C. §103.

The Examiner has rejected claims 2-8, 12 and 15 as unpatentable in view of the combination of Joschko and Brown.

It is submitted that the amendments to claim 1 fully traverse the rationale advanced by the Examiner in connection with the rejection of claims 2-8, 12 and 15. In this regard, the prior art does not teach or suggest a conveyor distribution arrangement wherein the conveyors are oriented at angular positions on a plurality of levels wherein the conveyors have a driver and the entire conveyor assembly can also be driven around a central axis. As amended, it is submitted that the claims patentably distinguish over Brown in combination with the other prior art of record.

The Brown reference uses a plurality of racks in an angular orientation but does not disclose the use of a plurality of conveyors on a conveyor assembly as claimed. Rather, the Brown reference discloses a series of racks which release a single item in response to a tripping mechanism that causes the rack to fall. Each of the racks extend the same distance from the central axis and the items are distributed starting at the lowest level and then sequentially continuing to the upper levels. The racks disclosed by Brown are not conveyors for conveying items in a lateral direction. The racks drop the items by pivoting at a pivot point located on the central axis. On information and belief, the circular orientation of Brown is related to its release mechanism wherein control arms 17, (or 17a et seq.) sequentially can release items as the device turns on the central axis turns 34.

Moreover, it is submitted that there is no motivation to arrange the conveyors of Joschko or Juillet in a circular orientation because the release mechanism is not shared by these two devices. It is submitted that if one does not employ the release mechanism of Brown, there is no longer any motivation to arrange the dispensing means in a circular orientation. The rotating rack release mechanism of Brown is not compatible with the conveyor release system of the Joschko, or the conveyor transfer system of Juillette. While it may be possible to connect conveyors at the locations of Brown's racks, one would then have to disregard the central object and teachings of the Brown invention if one were to make this combination. Moreover, it is submitted that the only manner in which to arrive at the claimed invention is through the use impermissible hindsight, using the present invention as a blueprint and then selecting and

Applicant(s) Ronald D. HALLIBURTON et al.
Appl. No. 10/624,887

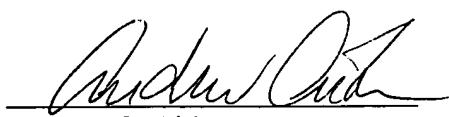
combining different diverse elements from the respective references.

Wherefore, it is submitted that each of the claims is now in condition for allowance and an early notice to that effect is solicited.

Respectfully submitted,

Date:

July 8, 2005


Andrew C. Aitken
Registration No. 36,729
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998

Telephone: (202) 344-4000
Telefax: (202) 344-8300

::ODMA\PCDOCS\DC2DOCS1\653463\1